

those provisions would be the source of media attention and prejudice to Plaintiffs and the beneficiaries of the trust.

The Court previously concluded that the dispositive provisions were relevant within the broad construction of that term for discovery purposes. Plaintiffs Motion for Reconsideration does not persuade the undersigned that the decision was in error. Given that the Roland and Dawn Arnall Living Trust is a named plaintiff and counterclaim defendant in this litigation and Roland Arnall's death, the Court concludes that the trust documents, including the dispositive provisions easily satisfy the relevancy requirements for discovery. Moreover, since there is a protective order in place limiting the use of the information to the prosecution or defense of this case, the Court is not persuaded that any prejudice will result from disclosure of this information to Defendants.

Plaintiffs' Motion for Reconsideration by Magistrate of Order that Production of Trust Agreement Shall Include Dispositive Provisions, Etc. [Dkt. 141] is therefore DENIED.

SO ORDERED this 14th day of August, 2008.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE